

Message Text

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TO SECSTATE WASHDC 2074

AMEMBASSY BONN

AMEMBASSY COPENHAGEN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

USMISSION NATO

C O N F I D E N T I A L SECTION 1 OF 2 OSLO 3336

LIMDIS

E.O. 11652: GDS

TAGS: EFIS, PLOS, NO

SUBJ: THE 200-MILE FISHERY ZONE AND OUR SVALBARD POLICY

REF: STATE 129250 (NOTAL)

1. SUMMARY: THE DEPARTMENT HAS ASKED FOR OUR ASSESSMENT OF HOW THE NORWEGIANS WOULD ACT VIS-A-VIS U.S., WESTERN AND SOVIET INTERESTS IF THE RIGHTS OF THE SPITSBERGEN TREATY DID NOT APPLY TO THE SVALBARD SHELF AND ITS WATERS. WE BELIEVE THAT THE NON-APPLICATION OF THE TREATY'S PROVISIONS TO THE SHELF AND ITS WATERS, BY ISOLATING NORWAY AS THE ONLY POWER DEALING WITH THE SOVIETS ON SHELF AND FISHERY ISSUES WOULD: A) INCREASE THE LIKELIHOOD OF SOVIET PRESSURE FOR BILATERAL SOVIET-NORWEGIAN SOLUTIONS TO NORTHERN PROBLEMS, (NOT NECESSARILY LIMITED TO SHELF ISSUES); AND B) MAKE IT MORE DIFFICULT FOR NORWAY TO RESIST BILATEALISM WITH THE SOVIETS, WHICH COULD IN TURN; C) DAMAGE U.S. AND ALLIED STRATEGIC, POLITICAL AND ECONOMIC INTERESTS IN THE AREA. WE RECOMMEND THAT THE USG MAINAIN ITS RESERVATION ON THE 1920 TREATY, FORMALLY TELL THE

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NORWEGIANS THAT WE CONSIDER THATOUR 1974 NOTE OF RESERVATION ALSO

APPLIES TO THE PROPOSED NORWEGIAN FISHERIES ZONE AROUND SVALBARD AND FRANKLY DISCUSS OUR CONCERNS AT THE NEXT ROUND OF NORWEGIAN SVALBARD TALKS THIS FALL. END SUMMARY

2. THE DEPARTMENT HAS REQUESTED OUR ASSESSMENT OF LIKELY NORWEGIAN ACTIONS VIS-A-VIS THE SOVIETS IF THE RIGHTS OF THE 1920 SPITSBERGEN TREATY ARE NOT APPLIED TO SVALBARD'S SHELF AND ITS WATERS. (REFTEL) SINCE THAT WOULD LEAVE NORWAY AS THE SOLE POWER WITH JURISDICTION OVER SPITSBERGEN'S SHELF AND WATER BEYOND THE TERRITORIAL SEA, NORWAY WOULD HAVE TO DEAL DIRECTLY AND SOLELY WITH THE SOVIETS ON SHELF AND OTHER ISSUES. THE DEPARTMENT'S QUESTION IS WHETHER UNDER THESE CIRCUMSTANCES THE NORWEGIANS WOULD BE LIKELY TO MAKE TO THE USSR CONCESSIONS POTENTIALLY DETRIMENTAL TO U.S. OR ALLIED INTERESTS.

3. THOUGH THE DEPARTMENT'S QUESTION IS PROVOKED BY NORWAY'S INTENTION TO DECLARE A SVALBARD FISHERIES ZONE (OSLO 2366), WE BELIEVE IT WOULD BE A MISTAKE TO SEE THE FISHERIES ZONE QUESTION AS AN ISOLATED ISSUE. IT MUST BE SEEN IN THE CONTEXT OF A) THE BROADER U.S. AND ALLIED INTERESTS IN THE AREA; B) THE USSR'S INTERESTS THERE AND C) LIKELY SOVIET AND NORWEGIAN ACTIONS IF THE TREATY DOES OR DOES NOT APPLY TO THE SHELF AND ITS WATERS, OR IF ITS APPLICATION REMAINS AMBIGUOUS.

4. AS WE UNDERSTAND IT, THE PRIMARY AMERICAN AND ALLIED OBJECTIVE IS TO PREVENT SOVIET ENCROACHMENT IN THE NORTHERN REGION WHILE PROTECTING OUR ECONOMIC, COMMERCIAL AND OTHER RIGHTS UNDER THE 1920 TREATY. THIS REQUIRES US TO MAINTAIN A STRONG NORWEGIAN AND WESTERN POSITION VIS-A-VIS THE RUSSIANS IN THE AREA. FOR SOME OF OUR ALLIES (NOTABLY THE UK AND FRG) PROTECTION OF EXISTING ECONOMIC RIGHTS (FISHING) IS ALSO IMPORTANT. OVER THE LONG RUN THE U.S. MAY WANT TO CAPITALIZE ON ANY ECONOMIC RIGHTS TO THE SHELF AND ITS WATERS WHICH THE TREATY PROVIDES US. BUT, WE WOULD ARGUE, OVER THE SHORT TO MIDDLE TERM U.S. POLITICAL AND STRATEGIC INTERESTS IN THE AREA CLEARLY OUTWEIGH OUR ECONOMIC INTERESTS THERE.

5. WHILE WE WOULD APPRECIATE EMBASSY MOSCOW'S MORE CONSIDERED VIEWS, WE WOULD GUESS THAT THE SOVIETS' INTERESTS IN THE NORTHERN REGION FALL INTO THREE CATEGORIES: SECURITY, POLITICAL AND ECONOMIC (IN ORDER OF PRIORITY).

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A) THE PRIMARY AND OVERRIDING RUSSIAN CONCERN IS PROBABLY TO MAINTAIN CONTINUED FREE ACCESS TO THE ATLANTIC VIA THE NORWEGIAN-SVALBARD GAP FOR ITS NORTHERN FLEET. PRESUMABLY, THE SOVIETS WOULD LIKE TO DENY AS MUCH OF THAT REGION AS POSSIBLE TO WHAT THEY CONSIDER POTENTIALLY HOSTILE WESTERN ACTIVITIES, SUCH AS OIL EXPLOITATION OR SCIENTIFIC RESEARCH, WHICH THEY MAY SEE AS COVER ACTIVITIES FOR WESTERN INTELLIGENCE OPERATIONS. ONE WAY TO CONTROL MORE OF THE TERRITORY IS FOR THE SOVIETS TO PUSH THE SOVIET-NOR-

WEGIAN BARENTS SEA BOUNDARY AS FAR WEST AS POSSIBLE. (THE AREA DISPUTED BETWEEN NORWAY AND THE USSR IS ABOUT 155,000 SQ. KMS.) ADDITIONALLY, SOME NORWEGIAN OFFICIALS BELIEVE THE SOVIETS FEAR THE "CREEPING JURISDICTION" OF COASTAL STATES OVER THEIR ECONOMIC ZONES ONCE THESE ZONES ARE ESTABLISHED NEXT YEAR. IN THIS INTERPRETATION, THE SOVIETS FEAR THAT REGARDLESS OF WHAT ANY LOS TREATY SAYS, THERE WILL BE ENORMOUS TEMPTATIONS AND PRESSURES OVER COMING YEARS FOR COASTAL STATES TO BROADEN THEIR COASTAL ZONE JURISDICTION FROM REGULATING PURELY ECONOMIC ACTIVITIES TO OTHER ACTIVITIES, EVEN CONCEIVABLY THE TRADITIONALLY FREE PASSAGE OF MILITARY VESSELS. OUR NORWEGIAN CONTACTS CITE THIS SECURITY CONCERN AS ANOTHER REASON THE SOVIETS HAVE BEEN SO INFLEXIBLE IN THE BOUNDARY TALKS.

B) SOVIET POLITICAL INTERESTS PROBABLY INCLUDE A DESIRE TO KEEP TENSIONS IN THENORTHERN AREA LOW AND TO KEEP RELATIONS WITH NORWAY ON AN EVEN KEEL. THIS WOULD SUGGEST THAT THE SOVIET TACTICS WILL BE A BLEND OF SOFT TALK AND MUSCLE-FLEXING. THE MAY APPEAL TO THE GON TO HELP REDUCE TENSIONS IN THE NORTH AND MAY EVENTUALLY SUGGEST THAT THIS COULD BE BETTER ACHIEVED IF NORWAY WOULD TAKE MODEST STEPS TO WEAKEN ITS NATO TIES. BUT THE SOVIETS ALSO HAVE NOT HESITATED TO FLEX THEIR MUSCLES AT NORWAY FOR POLITICAL PURPOSES, AS IN THE CURRENT SERIES OF ROCKET TESTS INTO THE DISPUTED BOUNDARY AREA SHORTLY AFTER THE TALKS DEADLOCKED (OSLO 3156). WHILE IN THE SHORT TERM SUCH CRUDE GESTURES PROBABLY WORK AGAINST THE SOVIETS HERE, IN THE LONG RUN NO NORWEGIAN GOVERNMENT CAN IGNORE SOVIET STRENGTH.

C) FINALLY, THE SOVIETS DO HAVE TRADITIONAL FISHING INTERESTS IN THIS REGION (SEE OSLO 3083 FOR NORWEGIAN ESTIMATES ON SOVIET COD CATCHES) AND WOULD PRESUMABLY NOT WANT TO GIVE AWAY POTENTIAL CONOMIC RIGHTS OR MINERAL RESOURCES ACCRUING TO THEM UNDER THE 1920 TREATY. THUS, THE SOVIETS HAVE REJECTED THENORWEGIAN POSITION
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THAT THE RIGHTS OF TREATY SIGNATORIES DO NOT APPLY TO THE SHELF. HOWEVER, DEFERRING AGAIN TO MOSCOW'S VIEWS, WE WOULD GUESS THAT THE SOVIETS' STRATEGIC AND POLITICAL CONCERSNS OUTWEIGH THEIR ECONOMIC INTERESTS IN THE AREA.

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FM AMEMBASSY OSLO

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AMEMBASSY MOSCOW

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C O N F I D E N T I A L SECTION 2 OF 2 OSLO 3336

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6. THE NORWEGIANS' OBJECTIVES SEEM TO BE THREEFOLD: FIRST, TO EXERCISE FIRMLY NORWAY'S SOVEREIGNTY OVER SVALBARD ITSELF AND OVER ITS CONTINENTAL SHELF. BUT THE NORWEGIANS WANT TO DO THIS IN A WAY THAT KEEPS TENSIONS LOW AND BELIEVE THAT THE APPLICATION OF THE 1920 TREATY'S PROVISIONS TO THE SHELF COULD PROMPT A "KLON-DIKE" ATMOSPHERE THERE WHICH WOULD RAISE TENSIONS (AND DESPOIL THE ENVIRONMENT). FINALLY ANY NORWEGIAN GOVERNMENT, BUT ESPECIALLY A MINORITY LABOR GOVERNMENT, MUST BE SENSITIVE TO POSSIBLE NATIONAL-IST ACCUSATIONS THAT IT HAS "GIVEN AWAY" FISHING RIGHTS OR NORWEGIAN TERRITORY TO ANYONE, BUT ESPECIALLY TO THE USSR.

7. FOR MORE THAN 30 YEARS THE SOVIETS HAVE TRIED TO GET THE NORWEGIANS TO ACCEPT A SOVIET-NORWEGIAN CONDOMINIUM IN THE NORTH. UNDER THE CONDOMINIUM PROPOSAL FIRST OFFERED BY MOLOTOV IN 1944, THE SOVIETS AND NORWEGIANS AS THE PRINCIPAL NATIONS IN THE NORTHERN REGION, WOULD RESOLVE TOGETHER THE OUTSTANDING BILATERAL (AND PERHAPS MULTILATERAL) ISSUES THERE. THE SOVIETS' TACTIC WOULD BE TO ARGUE THAT NORWAY AND THE USSR HAVE A "SPECIAL AND UNIQUE" INTEREST IN THE AREA AND IN KEEPING TENSIONS LOW THERE.
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8. THE ADVANTAGES TO THE SOVIETS OF ENJOYING NORWAY IN A BELATERAL APPROACH TO NORTHERN PROBLEMS ARE CLEAR. SUCH TALKS WOULD OFFER THE USSR OPPORTUNITIES FOR CREATIVE HOSE TRADING IN WHICH THE

SOVIETS COULD GRADUALLY BRING INTO THE TALKS ASPECTS OF THEIR RELATIONS WITH NORWAY NOT STRICTLY RELATED TO SVALBARD AND THE NORTH (AND POSSIBLY NOT LIMITED TO THEIR BILATERAL REALTIONS WITH NORWAY). FOR EXAMPLE, THE SOVIETS MIGHT OFFER TO WITHDRAW THEIR RESERVATIONS ON THE 1920 TREATY IN RETURN FOR A MORE ADVANTAGEIOUS BOUNDARY LINE, OR PERHAPS A CONSULATE IN TROMSO (LONG SOUGHT AND LONG REFUSED BY THE GON) OR CONCEIVABLY A REDUCTION IN NATO SHIP VISITS OR EXERCISES IN NORTH NORWAY. THE SPECIFIC ELEMENTS OF A PACKAGE DEAL ARE LIMITED ONLY BY THE IMAGINATION AND SOVIET INGENUITY.

9. THOUGH THE SOVIETS HAVE AVOIDED ANY FORMAL SUGGESTION OF LINKAGE AMONG NORTHERN ISSUES IN THEIR TALKS WITH THE GON TO DATE, THERE ARE SIGNS THAT THEY MAY NOW BE CHANGING TACTICS. FOREIGN MINISTER FRYDENLUND TOLD SECRETARY KISSINGER IN MAY THAT THE SOVIETS HAVE INDICATED TO THE NORWEGIANS THAT THEY CAN BE "FLEXIBLE" ABOUT THEIR POSITION ON THE 1920 TREATY'S APPLICATION TO THE SHELF. A LOW LEVEL SOVIET OFFICIAL HAS FLOATED THE IDEA OF A "PACKAGE DEAL" ON ALL NORTHERN ISSUES WITH AN MFA OFFICIAL. AND, MFA UNDER-SECRETARY STOLTENBERG INFORMED US LAST WEEK THAT HE WILL TRAVEL TO MOSCOW THIS FALL FOR TALKS WITH HIS SOVIET COUNTERPART. ON HIS LIST OF ILLUSTRATIVE TOPICS HE INCLUDED SVALBARD, FISHERIES AND THE BARENTS SEA BOUNDARY.

10. IT IS TRUE THAT THE NORWEGIANS REJECTED MOLOTOV'S PROPOSAL AND KOSYGIN'S REITERATION OF IT TO PRIME MINISTER BRATTELI IN 1974. BUT WE WOULD ESTIMATE THAT IF NORWAY STOOD ALONE AS THE ONLY POWER WITH JURISDICTION OVER THE SVALBARD SHELF AND WATERS, THE SOVIETS WOULD SEE AGAIN A CHANCE TO PRESS THE CONDOMINIUM CONCEPT ON THE NORWEGIANS. AND MIGHT NOT THE WITHDRAWAL OF WESTERN RESERVATIONS ON THE TREATY BE READ IN MOSCOW (AND IN OSLO) AS A INDICATION OF LESSENING WESTERN INTEREST IN THE AREA? IF THE SOVIETS DID ENGAGE THE NORWEGIANS IN PURELY BILATERAL TALKS ON NORTHERN PROBLEMS, WE WOULD JUDGE THAT THE NORWEGIANS WOULD BE MORE LIKELY TO MAKE CONCESSIONS DETRIMENTAL TO US AND WESTERN INTERESTS THAN IF THE TREATY APPLIED TO THE SHELF OR IF ITS APPLICATION REMAINED AMBIGUOUS.

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11. WE THEREFORE BELIEVE THAT IT IS AN IMPORTANT U.S. OBJECTIVE TO DISSUADE THE NORWEGIANS FROM SUCCUMBING TO POSSIBLE SOVIET BLANDISHMENTS ON A CONDOMINIUM. BILATERALISM IN THE NORTH CAN ONLY ERODE MORE IMPORTANT U.S. INTERESTS IN NORWAY OVER TIME. WE WOULD HOPE THAT NORWAY'S PERCEPTION OF ITS OWN NATIONAL INTERESTS AND RECOGNITION OF ITS RESPONSIBILITIES AS A NATO PARTNER WOULD DETER NORWAY FROM YIELDING IMPORTANT CONCESSIONS TO THE SOVIETS. BUT THE U.S. SHOULD NOT TAKE THAT FOR GRANTED AND SHOULD DO WHATEVER IT CAN BE DISCOURAGE BILATERALISM.

12. WHAT CAN WE DO? OUR LEVERAGE ON THIS ISSUE IS NOT INSIGNIFICANT.

WE HAVE OUR RIGHTS UNER THE SPITSBERGEN TREATY AND NORWAY'S OBVIOUS DESIRE TO TAKE U.S. AND BROADER WESTERN INTERESTS INTO ACCOUNT IN FORMULATING ITS NORTHERN REGION POLICY.

13. OUR RESERVATION ON THE 1920 TREATY (AND THOSE OF OUR ALLIES) IS, WE BELIEVE, AN IMPORTANT DETERRENT IN PREVENTING SOVIET-NORWEGIAN BILATERALISM IN THE NORTH. AS LONG AS THE TREATY'S POSSIBLE APPLICATION TO THE SHELF AND THE WATERS IS IN DOUBT, NORWAY CAN BETTER RESIST BOTH SOVIET REQUESTS (AND CONCEIVABLY NORWEGIAN DESIREES) THAT NORWAY ALONE DEAL WITH THE USSR ON SHELF AND OTHER ISSUES. IF THE TREATY CONCLUSIVELY DID NOT APPLY TO THE SHELF, THEN NORWAY WOULD BE DEPRIVED OF BOTH THE EXCUSE (AND INCENTIVE) THAT SHE MUST BEAR IN MIND OTHER NATIONS' INTERESTS WHEN DISCUSSING SHELF ISSUES WITH THE SOVIETS. IN SUM, THE NON-APPLICATION OF THE TREATY WOULD, WE BELIEVE, OPEN THE DOOR TO SOVIET PRESSURE ON THE GON FOR BILATERAL SOLUTIONS TO NORTHERN ISSUES. WITHOUT THE TREATY, OR AT LEAST ITS AMBIGUITY, TO HIDE BEHIND, WE BELIEVE THAT THE GON WOULD BE MORE SUSCEPTIBLE TO SUCH PRESSURES AND INDUCEMENTS AND MIGHT ULTIMATELY MAKE CONCESSIONS TO THE USSR DETRIMENTAL TO U.S. AND ALLIED INTERESTS IN THE AREA.

14. RECOMMENDATIONS: WE HAVE ALREADY MADE CLEAR OUR GOVERNMENT'S CONCERN ON THE IMMEDIATE ISSUE AT HAND--THE GON'S INTENTION TO DECLARE A SVALBARD FISHERIES ZONE (OSLO 3083, 3185). WE SHOULD CONTINUE TO URGE THE GON TO SEE THE FISHERIES QUESTION AS PART OF A LARGER COMPLEX OF IMPORTANT POLITICAL ISSUES. WE COULD MORE FORMALLY SEEK CONSULTATIONS ON THE MATTER TO DISSUADE NORWAY FROM PREMATURELY ESTABLISHING THE FISHERIES ZONE. IF THE NORWEGIANS NONETHELESS DO ESTABLISH THE FISHERY ZONE, WE RECOMMEND THAT THE USG FORMALLY NOTIFY THE GON, AS WE HAVE ALREADY DONE INFORMALLY, CONFIDENTIAL

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THAT OUR 1974 RESERVATION APPLIES EQUALLY TO THE FISHERY ZONE. FINALLY, WE BELIEVE THE USG SHOULD MAINTAIN ITS 1974 RESERVATION AS THE BEST WAY TO ASSURE THAT U.S. AND WESTERN INTERESTS ARE TAKEN INTO ACCOUNT BY THE GON AND BY THE USSR.
ANDERS

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